

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

TIFFANY J. WALLACE, #56099-180

§

v.

§

CIVIL ACTION NO. 6:16cv930

UNITED STATES OF AMERICA

§

MEMORANDUM OPINION ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE
AND ENTERING FINAL JUDGMENT

Movant Tiffany Joanne Wallace, a federal prisoner confined at the Carswell Federal Medical Center in Ft. Worth, Texas, filed this motion to vacate, set aside, or correct her federal sentence pursuant to 28 U.S.C. § 2255. The motion was referred for findings of fact, conclusions of law, and recommendations for disposition of the case.

After a review of the pleadings, the Magistrate Judge issued a Report, (Dkt. #11), recommending that Wallace's motion be dismissed with prejudice. A copy of this Report was sent to Wallace at her address; return receipt requested. However, to date, no objections to the Report have been filed. Wallace has neither filed a notice of a change of address nor communicated with the Court since February 2018.

Accordingly, Wallace is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly it is

ORDERED that the Report of the Magistrate Judge, (Dkt. #11), is **ADOPTED** as the opinion of the Court. Further, it is

ORDERED that Movant's section 2255 motion is **DISMISSED** with prejudice. Finally, it is

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

So **ORDERED** and **SIGNED** this **14** day of **July, 2018**.



Ron Clark, United States District Judge